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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF:

**BANISTER** 

SERIAL NO.:

10/786,718

FILED:

February 24, 2004

FOR:

Pulse Activated Actuator Pump System

GROUP:

3746

DOCKET:

MEDIPACS 04.03

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-entitled matter, Applicant hereby proffers U.S. Patent Office Form PTO-1449. Applicants are not submitting copies of the U.S. Patent reference(s)/U.S. Patent Publication(s) as the Office waived the requirement under 37 CFR 1.98(a)(2)(i) on July 11, 2003. These references are discussed in the specification. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

The enclosed Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are any fee deficiencies or additional fees

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /CF

are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,

Norman P. Soloway Attorney for Applicant Reg. No. 24,315

## **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 24, 2004 at Tucson, Arizona.

 $\mathbf{R}\mathbf{v}$ 

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		6,184,608		2.6.01	CABUZ et al.		310	309				
<u> </u>		6,664,718		12.16.03	PELRINE et al.		1	1		· 		
		6,685,442		2.3.04	CHINN et al.		417	321				
		5,979,892		11.9.99	SMITH		271	267				
		6,143,138		11.7.00	BECKE	CR	204	157.15				
U.S. PATENT APPLICATION PUBLICATIONS												
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	6,109,852		8.29.00	SHAHINPOOR et al.		414	1		
		6,475,639	11.5.02	SHAHINPOOR et al.		428	614		
	6,213,739		4.10.01	PHALLEN et al.  ROSS et al.		417	478		
•		6,464,4766 10.13				417 478		٠	<u></u>
	6,249,076 6.19.01 MAD		MADD	EN et al.	310	363			
	•		U.S. PATEN	T APPLICA	ATION PUBLICATIONS				
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		6,682,318	1.27.04	TAKE	UCHI et al.	417	322	n arra	JIMAIL		
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